

**Remarks**

Claims 55-77 are pending in this application. Claims 1-54 have been withdrawn.

**Elections / Restrictions**

Restriction to one of the disclosed inventions was required. Applicant elects to proceed with the inventions of Group II, claims 55-77, drawn to a device configured to acquire data from a living being in order to classify sleep states. Applicant reserves the right to file a divisional application pursuant to 35 U.S.C. §121 directed to the withdrawn non-elected claims.

Any fees necessitated by this amendment may be charged to the deposit account of the undersigned, Dep. Acctn. #50-1212 (ref. 10408538).

Should the Examiner wish to discuss these claims further, or should an Examiner's Amendment be needed in order for the claims to proceed to allowance, the Examiner is invited to direct any questions regarding this application to John Klos at (612) 321-2806.

Respectfully submitted,  
Compumedics Ltd., by its attorneys

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